

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Writ Petition No. 1001 (S/S) of 2007

Manohar Dutt Pandey S/o Late Dharmanand Pandey,
R/o Village Pepaltana, P.O. Manela (Gagas), Tehsil Ranikhet,
District- Almora ----- Petitioner

Versus

1. State of Uttarakhand through Secretary Gramya Vikas,
Vibhag, Dehradun
2. State of U.P. through Secretary Gramya Vikas, Vibhag,
Lucknow
3. Vikas Ayukat, Gramya Vikas Vibhag Uttarakhand, Pauri
4. Chief Development Officer, Almora
5. District Development Officer, Almora

----- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Siddharth Bisht, learned counsel for the petitioner,
Sri N.P. Shah, learned Standing Counsel State of Uttarakhand for
respondent nos. 1, 3, 4 and 5 and Smt. Beena Pandey, learned
Standing Counsel for State of U.P. for respondent no. 5.

By means of this writ petition, the petitioner has prayed for
the following reliefs:

1. Issue a writ, order or direction in the nature of mandamus
commanding/directing the respondent to pay pension
according to the promotional pay scale/higher pay scale i.e.
Rs. 5000-8000 which is due with the respondent from
11.01.1998.
2. Issue a writ, order or direction in the nature of mandamus
commanding/directing the respondent to pay the arrears of
salary i.e. from 11.01.1998 to the petitioner and also to pay
the arrears of pension, arrears of the gratuity.

3. Issue a writ, order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the case.
4. Allow this writ petition and award the cost of it in favour of the petitioner.

The stand of the petitioner is that he was entitled to get the promotional pay scale with effect from 1998. He has retired from service in the year 1999. Learned counsel for the petitioner has submitted that in this regard the petitioner has moved a number of representations to the respondent to grant him promotional pay scale with effect from 1998 and also to pass order for consequential benefits in the pension.

In the circumstances, petitioner may make fresh representation before respondent no. 2 for redressal of his grievances and respondent no. 2 is directed to take decision on the representation of the petitioner, if any, moved by the petitioner within a period of six weeks from the date of production of a certified copy of this order along with the representation.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

03.08.2007
VKS